

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

JOE HOLCOMBE *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

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Civil Action No. SA-18-cv-555-XR

Consolidated with: SA-18-cv-949-XR,
SA-19-cv-289-XR, SA-19-cv-691-XR,
SA-19-cv-706-XR, SA-19-cv-1300-XR,
SA-19-cv-1301-XR, SA-20-cv-368-XR

ORDER

On this date, the Court considered the status of these consolidated cases.

This Court entered final judgments in these cases on April 5, 2022. The United States timely filed notice of appeal, and Plaintiffs timely filed their cross-appeal, divesting this Court of jurisdiction over these cases. *See Alvestad v. Monsanto Co.*, 671 F.2d 908, 911 n.2 (5th Cir.) *cert. denied*, 459 U.S. 1070 (1982).

Thereafter, the parties reached a settlement agreement requiring the appointment of guardians ad litem and approval of the settlement terms for minor plaintiffs and adult-incompetent Plaintiffs. On April 12, 2023, the Fifth Circuit remanded the case to this Court for the limited purposes of appointing guardians ad litem and approving the settlement terms in those cases involving minor and adult-incompetent Plaintiffs. *See* ECF No. 812-1, Order of Limited Remand.

On April 12, 2023, the Court issued an order appointing Chip Evans (Texas Bar No. 24002068) as guardian ad litem to represent and protect the interests of the minor and adult-incompetent Plaintiffs listed below and reopening the member cases in which their respective complaints were filed. *See* ECF Nos. 813, 816, 817.

Cause	Style	Minor / Incompetent Party
5:18-cv-00555-XR	<i>Holcombe et al. v. United States</i>	Joe Holcombe
5:18-cv-00949-XR	<i>McNulty v. United States</i>	J.M.
5:19-cv-00289-XR	<i>Ward et al. v. United States</i>	R.W.
5:19-cv-00691-XR	<i>Braden et al. v. United States</i>	Z.Z.
5:19-cv-00706-XR	<i>Lookingbill et al. v. United States</i>	R.T.
5:19-cv-01300-XR	<i>Colbath et al. v. United States</i>	O.C.
5:19-cv-01301-XR	<i>Workman et al. v. United States</i>	E.W.
5:20-cv-00368-XR	<i>Holcombe v. United States</i>	E.J.H.

After a joint settlement hearing held on May 2, 2023, the Court approved the applicable settlement agreement in each of the Limited Remand Cases. *See Holcombe et al. v. United States*, No. SA-18-cv-555-XR, ECF No. 820; *McNulty v. United States*, No. SA-18-cv-949-XR, ECF No. 23; *Ward et al. v. United States*, No. SA-19-cv-289-XR, ECF No. 32; *Braden et al. v. United States*, No. SA-19-cv-691-XR, ECF No. 19; *Lookingbill et al. v. United States*, No. SA-19-cv-706-XR, ECF No. 21; *Colbath et al. v. United States*, No. SA-19-cv-1300-XR, ECF No. 18; *Workman et al. v. United States*, No. SA-19-cv-1301-XR, ECF No. 17; *Holcombe v. United States*, No. SA-20-cv-368-XR, ECF No. 18.

On August 3, 2023, the Fifth Circuit entered an order dismissing the appeal under FED. R. APP. P. 42(b) pursuant to the joint motion of the parties. *See Holcombe et al. v. United States*, No. No. 22-50458, Doc. No. 339 (5th Cir. Aug. 3, 2023).

In light of the dismissal of the appeal, the Clerk is **DIRECTED** to **CLOSE** each of the Limited Remand Cases (SA-18-cv-555-XR, SA-18-cv-949-XR, SA-19-cv-289-XR, SA-19-cv-691-XR, SA-19-cv-706-XR, SA-19-cv-1300-XR, SA-19-cv-1301-XR, SA-20-cv-368-XR).

It is so **ORDERED**.

SIGNED this 11th day of September, 2023.



 XAVIER RODRIGUEZ
 UNITED STATES DISTRICT JUDGE